

PB# 98-39

TOM MIHALICS SD

51-1-62.1

DATE November 6, 1998 RECEIPT 037341RECEIVED FROM Thomas & Maureen Michalics

Address

Fifty and 00/100 DOLLARS \$ 50.00

FOR

Planning Board Application Fee #98-39

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	#	198
AMOUNT PAID			CHECK	50	00
BALANCE DUE			MONEY ORDER		

Torion ClarkBY Dorothy H. HansenDATE November 4, 1998 RECEIPT 98-39 N U M B E RRECEIVED FROM Thomas & Maureen Michalics

Address

1903 Little Britain Rd. - Rock Tavern, N.Y. 12575Three Hundred 00/100 DOLLARS \$ 300.00FOR Sub. Escrow (2 Lots @ \$150.00 ea)

ACCOUNT			HOW PAID		
BEGINNING BALANCE	300	00	CASH		
AMOUNT PAID	300	00	CHECK	#	199
BALANCE DUE	- 0	-	MONEY ORDER		

BY J. Zappolo
Maureen Michalics, SecretaryDATE May 5, 1999 RECEIPT 98-39 N U M B E RRECEIVED FROM Thomas & Maureen Michalics

Address

1903 Little Britain Rd. - Rock Tavern, N.Y. 12575Sixty-seven 00/100 DOLLARS \$ 67.00FOR Additional Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	67	00	CASH		
AMOUNT PAID	67	00	CHECK	#	265
BALANCE DUE	- 0	-	MONEY ORDER		

BY J. Zappolo
Maureen Michalics, SecretaryDATE February 4, 1999 RECEIPT 98-39 N U M B E RRECEIVED FROM Thomas & Maureen Michalics

Address

1903 Little Britain Rd. - Rock Tavern, N.Y. 12575

AMOUNT PAID		CHECK	300.00
BALANCE DUE		MONEY ORDER	

BY Dorothy H. Hansen

DATE November 4, 1998 RECEIPT NUMBER 98-39
 RECEIVED FROM Thomas & Maureen Michalics
 Address 1903 Little Britain Rd - Rock Tavern, N.Y. 12575
Three Hundred 00/100 DOLLARS \$ 300.00
 FOR Sub. Escrow (2 Lots @ \$150.00 ea)

ACCOUNT		HOW PAID	
BEGINNING BALANCE	300.00	CASH	
AMOUNT PAID	300.00	CHECK	#199
BALANCE DUE	- 0 -	MONEY ORDER	

BY J. Zappolo
Mina L. Mason, Secretary

DATE May 5, 1999 RECEIPT NUMBER 98-39
 RECEIVED FROM Thomas & Maureen Michalics
 Address 1903 Little Britain Rd - Rock Tavern, N.Y. 12575
Sixty-seven 00/100 DOLLARS \$ 67.00
 FOR Additional Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	67.00	CASH	
AMOUNT PAID	67.00	CHECK	#265
BALANCE DUE	- 0 -	MONEY ORDER	

BY J. Zappolo
Mina L. Mason, Secretary

DATE February 4, 1999 RECEIPT NUMBER 98-39
 RECEIVED FROM Thomas & Maureen Michalics
 Address 1903 Little Britain Rd - New Windsor, N.Y.
One Hundred Thirty-five 00/100 DOLLARS \$ 135.00
 FOR 2% Inspection fee (2% of \$6,750.00 cost estimate)

ACCOUNT		HOW PAID	
BEGINNING BALANCE	135.00	CASH	
AMOUNT PAID	135.00	CHECK	#226
BALANCE DUE	- 0 -	MONEY ORDER	

BY J. Zappolo
Mina L. Mason, Secretary

DATE 2/4/99 RECEIPT 037518
 RECEIVED FROM Thomas & Maureen Michalics
 Address _____
Two Hundred Sixty 00/100 DOLLARS \$ 260.00
 FOR P.B. # 98-39

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	OK #207
AMOUNT PAID		CHECK	260.00
BALANCE DUE		MONEY ORDER	

BY Town Clerk
Dorothy H. Hansen
sh

DATE February 4, 1999 RECEIPT NUMBER 98-39
 RECEIVED FROM Thomas & Maureen Michalics
 Address 1903 Little Britain Rd. - New Windsor, N.Y.
Five Hundred 00/100 DOLLARS \$ 500.00
 FOR Recreation fee - Lot

ACCOUNT			HOW PAID		
BEGINNING BALANCE	500	00	CASH		
AMOUNT PAID	500	00	CHECK	#228	
BALANCE DUE	-0-		MONEY ORDER		

BY Nypa Mason, Secretary

DATE February 4, 1999 RECEIPT NUMBER 98-39
 RECEIVED FROM Maureen Michalics - Fleet Official Bank Check
 Address 1903 Little Britain Rd. - New Windsor, NY
Six Thousand Seven Hundred Fifty 00/100 DOLLARS \$ 6,750.00
 FOR Roadway Bond - Michalics Sub. #98-39

ACCOUNT			HOW PAID		
BEGINNING BALANCE	6750	00	CASH		
AMOUNT PAID	6750	00	CHECK	#640453547	
BALANCE DUE	-0-		MONEY ORDER		

BY Nypa Mason, Secretary

Map Number 144-99 City N. Windsor
Section 51 Block 1 Lot 62.1 Town N. Windsor
Village N. Windsor

Title: Mihalics, Thomas J.

Dated: 12-2-98 Filed 6-28-99

Approved by Ed Slent
on 6-25-99

Record Owner Mihalics, Thomas J.

DONNA L. BENSON
Orange County Clerk

(2 Sheets)



RENAISSANCE.
ILIKAI WAIKIKI HOTEL

To Whom it may Concern,

I would like to have a hearing on a proposed private road on Little Britain Rd. (Route 207) ~~File~~ File Map. #144-99. I don't understand the need for such a large eye sore, not even to mention the amount of trees that will have to be cut down which will also expose our property. We were told it was for a fire truck to turn around. A firetruck can easily turn around on all three properties without the private road.

Called and told them this is the code for a driveway / private Rd and it must remain as is.

The Cassidy's

Section 51, block 1 Lot 63.2

496 - 8102.

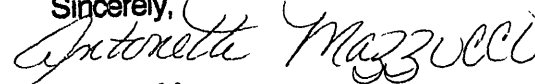
Antonette Mazzucco
1903 Little Britain rd.
Rock Tavern NY, 12575

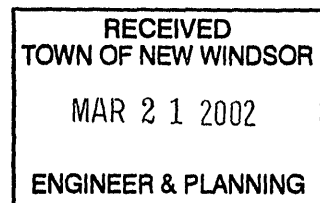
March 15, 2002

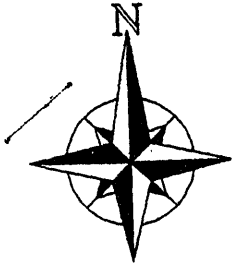
Town of New Windsor
Planning Board
555 union ave.
New Windsor NY, 12553

RE: Request a meeting in front of the planning board

Dear sir or madam:
I am writing this letter to request a meeting in front of the planning board. Regarding development of a private rd for a two lot minor subdivision. as per filed map # 144-99
I have some concerns about the size and necessity of the proposed rd. You can reach me during the day on my cell phone (914) 522-8360 or after 5:00 pm at home 497-7732
Thank you for your time, and I look forward to hearing from someone soon.

Sincerely,

Antonette Mazzucco





MARGARET M. HILLRIEGLL
Licensed Land Surveyor
372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(914) 744-2072



PRIVATE ROAD BOND ESTIMATE

FOR: 2 LOT MINOR SUBDIVISION
FOR LANDS OF:

THOMAS J. MIHALICS

1903 Little Britain Road
(N.Y.S. Route 207)
Town of New Windsor
Section 51, Block 1, Lot 62.1

WJH
12-9-78

<u>Description</u>	<u>Quantity per Unit</u>	<u>Unit Cost</u>	<u>Total</u>
Base Material	1,500 ⁵⁰⁰ Square Yard	\$ 5.55 ^{#9}	\$ 8325 ^{\$7,500}
Oil & Chip Surface	1,100 ⁵⁰⁰ Square Yard	\$ 3.50 ^{4.50}	\$ 3850 <u>2,250</u>
Total Bond Estimate:		\$ 12,175.00	<u>\$ 6,750</u>

2% 135.00



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765

MEMORANDUM

31 March 1999

TO: MYRA MASON, P.B. SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: MIHALICS SUBDIVISION (98-39)

A handwritten signature in black ink, appearing to read 'MJE', is written over the 'FROM' line.

I have reviewed the metes and bounds description for the private road of the subject subdivision, as prepared by Margaret Hillriegel, LS, and find same acceptable.

The Private Road Maintenance Declaration must be reviewed by Andrew Krieger, Esq.

Corrections were required to the subdivision plan as per the comments of 11/18/99. I have not received a final plan for review. As such, I can not close out this application at this time.

AS OF: 03/31/99

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 98- 39

FOR WORK DONE PRIOR TO: 03/31/99

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
.													
98-39	132489	10/07/98	TIME	MJE	WS HILLRIEGEL	75.00	0.40	30.00					
98-39	132793	10/22/98	TIME	MJE	WS MIHALICS	75.00	0.40	30.00					
98-39	134008	11/10/98	TIME	MJE	MC HILLRIEGEL TC/SUBD	75.00	0.30	22.50					
98-39	134009	11/11/98	TIME	MJE	MC HILLRIEGEL TC/SUBD	75.00	0.20	15.00					
98-39	135263	11/17/98	TIME	MJE	MC MIHALICS REVIEW	75.00	0.60	45.00					
98-39	134565	11/18/98	TIME	MCK	CL MIHALICS RVW COMMENT	28.00	0.50	14.00					
98-39	135264	11/18/98	TIME	MJE	MC MIHALICS	75.00	0.10	7.50					
98-39	135272	11/18/98	TIME	MJE	MM MIHALICS SUB APPL	75.00	0.10	7.50					
98-39	135560	11/18/98	TIME	MJE	MM MIHALICS SUB COND AP	75.00	0.10	7.50					
98-39	135271	12/09/98	TIME	MJE	MC REV PLAN & COST EST	75.00	0.50	37.50					
98-39	136173	12/09/98	TIME	MJE	MC MIHALICS	75.00	0.50	37.50					

									254.00				
.													
98-39	135817	12/16/98			BILL 98-1260					-216.50			
98-39	137115	12/31/98			BILL 99-135 1/15/99					-37.50			

										-254.00			
.													
98-39	144559	03/31/99	TIME	MJE	MC FILE AND DESCRIPTION	75.00	0.50	37.50					
									=====	=====	=====	=====	
TASK TOTAL								291.50	0.00	-254.00	37.50		
.													
									=====	=====	=====	=====	
GRAND TOTAL								291.50	0.00	-254.00	37.50		

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/05/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION
APPLICANT: MIHALICS, THOMAS J.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
/ /		CHG	0.00		
11/05/1998	REC.CK. #199]	PAID		300.00	
11/18/1998	P.B. ATTY. FEE	CHG	35.00		
11/18/1998	P.B. MINUTES	CHG	40.50		
03/31/1999	P.B. ENGINEER FEE	CHG	291.50		
05/05/1999	REC. CK. #265	PAID		67.00	
		TOTAL:	367.00	367.00	0.00

L.R. 5/5/99

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/04/99

PAGE: 1

LISTING OF PLANNING BOARD FEES
PERFORMANCE BND

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION

APPLICANT: MIHALICS, THOMAS J.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/03/99	ROAD BOND ESTIMATE	CHG	6750.00		
02/03/99	REC CK640453547-FLEET BNK C	PAID		6750.00	
			-----	-----	-----
		TOTAL:	6750.00	6750.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/04/99

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION
APPLICANT: MIHALICS, THOMAS J.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/22/98	REC. FEE FOR 1 LOT	CHG	500.00		
02/03/99	REC. CK. #228	PAID		500.00	
			-----	-----	-----
		TOTAL:	500.00	500.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/04/99

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION
APPLICANT: MIHALICS, THOMAS J.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/22/98	2% OF 6750.00 PRIV. RD BOND	CHG	135.00		
02/03/99	REC. CK. #226	PAID		135.00	
			-----	-----	-----
		TOTAL:	135.00	135.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/04/99

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION
APPLICANT: MIHALICS, THOMAS J.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	11/05/98	EAF SUBMITTED	11/05/98	WITH APPLICATION
ORIG	11/05/98	CIRCULATE TO INVOLVED AGENCIES	11/18/98	UNCOORDINATED
ORIG	11/05/98	LEAD AGENCY DECLARED	11/18/98	TOOK LEAD AGENCY
ORIG	11/05/98	DECLARATION (POS/NEG)	11/18/98	DECL. NEG. DEC
ORIG	11/05/98	SCHEDULE PUBLIC HEARING	/ /	
ORIG	11/05/98	PUBLIC HEARING HELD	/ /	
ORIG	11/05/98	WAIVE PUBLIC HEARING	11/18/98	WAIVED PUB. HEAR
ORIG	11/05/98	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/04/99

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-39

NAME: MIHALICS, THOMAS - 2 LOT SUBDIVISION
APPLICANT: MIHALICS, THOMAS J.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
02/04/99	REC. CK FOR ROAD BOND	ALL FEES PAID
02/04/99	PLANS STAMPED	APPROVED
11/18/98	P.B. APPEARANCE	LA:ND WVE PH APP CON
	. ADDRESS MARK'S COMMENTS - ADD NOTE TO PLAN RE: REMOVAL OF	
	. MOBILE HOME AND WELL HOUSE - DOT REVIEW - CORRECT PRIVATE	
	. ROAD DETAIL - NEED PRIVATE ROAD BOND ESTIMATE	
10/22/98	WORK SESSION APPEARANCE	REVISE & SUBMIT
10/07/98	WORK SESSION APPEARANCE	RETURN TO WS

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR NEW YORK 12553
(914) 562-2333
FAX (914) 562-2407

July 6, 1999

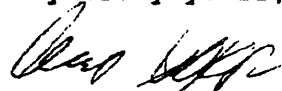
Ms. Myra Mason
Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, New York 12553

Re: Mihalics

Dear Myra:

The private road maintenance agreement prepared by Joseph Rones, Esq. on the above referenced matter has been reviewed and is acceptable to me.

Very truly yours,


ANDREW S. KRIEGER

ASK:mnt

P.B. # 98-39

5-17-99

To whom it may concern

I would like to have
The
Two 90's Day's EXTENSION on ~~PROPERTY~~

AGREEMENT conditions SUB-DIVISION

APPROVAL GRANTED NOV 18 1998.

Thomas
Minarik

1903 Kittle

BRITAIN Rd

ROCK TAVORN

NY
12575

CORRESPONDENCE

MIHALICS SUBDIVISION (98-39)

MR. PETRO: To Whom it May Concern: I'd like to have two 90 day extensions on the, my reading is not bad, if you want to take a quick look at that.

MS. MASON: She wrote it very quick in the office.

MR. PETRO: Conditional Planning Board approval, Thomas Mihalics. This is the first two 90 day extension conditional approval.

MR. EDSALL: Could I ask just when was their approval granted?

MR. PETRO: November 18, 1998, conditional subdivision approval.

MR. EDSALL: They may not have an approval, just one second.

MR. PETRO: Can I have a motion for the two 90 day extensions?

MR. ARGENIO: I'll make that motion.

MR. LUCAS: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board grant Mihalics subdivision for two 90 day extensions on the conditional approval granted November 18, 1998. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

PRIVATE ROAD MAINTENANCE DECLARATION

Declaration dated the ^{23rd} day of June, 1999, is intended to refer to the Subdivision in the Town of New Windsor, County of Orange and State of New York of lands owned by Thomas J. Mihalics, residing at 1903 Little Britain Road, Rock Tavern, New York 12575 known as "2 Lot Minor Subdivision for Lands of Thomas J. Mihalics" dated October 22, 1998 prepared by Margaret M. Hillriegel, LLS to be filed in the Orange County Clerk's Office, simultaneously with this Declaration..

WHEREAS, there is located on the subject premises as shown on the above referenced filed Subdivision Map a Proposed Private Road to be used as a common roadway to be utilized for purposes of residential ingress, egress and utilities; said Proposed Private Road being more particularly described in Schedule A attached hereto and made a part hereof:

WHEREAS, it would be in the best interest of the present and future owners of said lots in said Subdivision to have an agreement concerning the establishment and maintenance of said Proposed Private Road;

WHEREAS, each of the owners of the two lots shown on said Subdivision Map and of any subsequent lots due to the future subdivision of said Lot #2 and their successors in interest will have the right of use of said Proposed Private Road;

WITNESSETH:

WHEREAS, THOMAS J. MIHALICS is the owner of Lots No. 1 and 2 and on the aforesaid subdivision map in the Town of New Windsor, County of Orange, State of New York; and

WHEREAS, there is or will be a private road off Little Britain Road also known as N.Y.S. Route 207, to the aforesaid lots; and

WHEREAS, all or substantially of the lots will gain access from to each respective lot by use of the private road; and

WHEREAS, it is in the best interest of all parties that will own the lots or any portion thereof served by the private road to have an Agreement that sets forth the intent to maintain the private road in a passable condition and sets forth the distribution of expenses for the repair and maintenance of said road; and

WHEREAS, is now the owner in fee simple absolute of Lot Nos. 1 and 2 and shown on the aforesaid subdivision map; and

WHEREAS, these obligations will be assumed by the owners of each of the lots in this subdivision, or any portion thereof, only if their lot, or any portion thereof, is serviced by the private road; and

WHEREAS, it is the intention of Thomas J. Mihalics to file this declaration and make the provisions of this declaration binding upon the lot owners set forth above and any other lot owners that may eventually use the private road.

It is hereby declared as follows:

1. Thomas J. Mihalics will refer to this declaration in the deeds conveying title to Lot Nos. 1 and 2. and, or any portion thereof, on the aforesaid map and will cause future owners of these lots, or any portion thereof, to assume the obligations of this agreement upon acceptance of title to the respective lots, or any portion thereof.
2. The owners of the respective lots, or any portion thereof, shall meet at least annually to determine what maintenance shall be done on the road for the coming year. The owners shall also agree on a method of determining when Contractors shall be requested to perform maintenance on the private road, remove snow or apply sand when snow or ice conditions prevail.
3. All decisions for improvement and/or maintenance of the private road shall be made by a majority vote of the lot owners present who have received deeds.
4. The owner of lot No. 2 shall have the responsibility of chairing the first meeting of the lot owners and arranging for the first meeting of the lot owners. This individual shall be referred to as "Manager". The lot owners shall annually elect an individual as the Manager. The "Manager" shall serve until successor is elected, even if such service is for more than one year.

5. Each lot owner shall be responsible for and have one (1) vote concerning any maintenance performed on the road after delivery of the deed. Each lot owner shall be responsible for the proportion of expense that his vote has to the entire number of votes eligible to be cast.

6. The Manager of the road shall receive notification from any Contractors of any sums that may be due and owing from the owners of the lots for the maintenance of the road. Upon receipt of an invoice for an expense of the road, the Manager shall immediately notify the respective owners of the total amount of the invoice and their proportionate share of the expense. Within seven (7) days of the receipt of this notification, the respective lot owners shall forthwith deliver a check, made payable to the contractor, to the Manager who in turn shall contribute his share of the expense and forward all checks to the Contractor in full satisfaction of this obligation.

7. Upon receipt of a Deed to a subdivision lot, each lot, or any portion thereof, owner shall immediately become liable for his or her share of the obligations pursuant to this Declaration.

8. In the event one of the lot owners fail to forward his proportionate share of the expense within seven days as set forth above, the Manager shall be authorized to forward the portion of the invoice that has been paid to the Contractor with a statement setting forth the proportionate share that remains unpaid and the lot owner that has not paid his share. The lot owner who has not paid his proportionate share shall subject his real property to the lien of the Contractor as if he had executed the Contract for the performance of the work. For the purpose of this declaration, each lot owner that is affected by this Declaration hereby gives his authorization, and by accepting a Deed to the respective lot, or any portion thereof, does hereby accept the condition that a majority vote shall be sufficient to authorize the performance of work and that the acts of the Manager in carrying out the directive of the lot owners shall be done by the Manager as an Agent of the lot owners and the lot owners consent to his actions and agree to be bound by them.

9. Unless otherwise agreed among the lot owners, it is hereby declared that in the event the accumulation of snow exceeds three inches in depth, as the average depth, the Manager is authorized to engage a Contractor to remove the snow from the private road without further authorization from the lot owners.


10. All lot owners agree that the road shall always be maintained so as to be passable by ordinary passenger vehicle and this shall include any "potholes" that exceed three inches in depth and grading the road when the difference in elevation of all portions of the traveled area exceeds six inches. All lot owners also agree that any encroachment of tree branches or brush on, over or near the road surface shall be trimmed or removed so as to maintain a safe, unobstructed roadway.

Dated: Newburgh, New York
June 23 1999

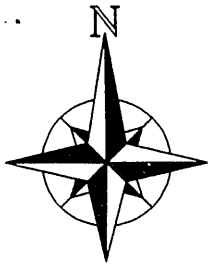

THOMAS J. MIHALICS

State of New York)
) ss.:
County of Orange)

On the 23rd day of June, in the year nineteen hundred ninety-nine before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS J. MIHALICS personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

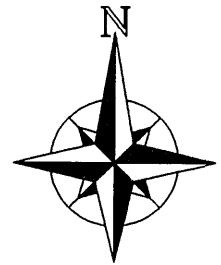
JOSEPH P. RONES
Notary Public, State of New York
Qualified in Orange County
Commission Expires June 30, 19-2000



MARGARET M. HILLRIEGEL

Licensed Land Surveyor

372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(914) 744-2072



Schedule "A"

DESCRIPTION
OF LANDS OF
PROPOSED PRIVATE ROAD
MIHALICS - 2 LOT MINOR SUBDIVISION
TOWN OF NEW WINDSOR,
COUNTY OF ORANGE, NEW YORK

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK, BEING SHOWN ON A MAP ENTITLED "2 LOT MINOR SUBDIVISION, LANDS OF THOMAS J. MIHALICS", PREPARED BY MARGARET M. HILLRIEGEL, L.S., DATED OCTOBER 22, 1998 AND TO BE FILED IN THE ORANGE COUNTY CLERK'S OFFICE, BEING DESCRIBED AS FOLLOWS:

Beginning at a point the Southerly Line of New York State Route 207 (a.k.a. Little Britain Road), said point also being the Northwesterly most corner of Lands now formerly Cassidy, Liber 4700, Page 81;

Thence along the Westerly line of said Lands now or formerly Cassidy, Liber 4700, Page 82, South Ten Degrees, Thirty Minutes, Forty-One Seconds West One Hundred Seven Feet (S 10 Degrees 30'41" W 107.00') to a found iron pin;

Thence through Lot #2, as shown on the above mentioned subdivision map, the following four (4) courses and distances:

- 1] South Ten Degrees, Thirty Minutes, Forty-One Seconds West, Fourteen and Twenty-One Hundredths Feet (S 10 Degrees 30'41" W 14.21');
- 2] South Seventy-Nine Degrees, Twenty-Nine Minutes, Nineteen Seconds East Twenty-Five Feet (S 79 Degrees 29'19" E 25.00');
- 3] South Ten Degrees, Thirty Minutes, Forty-One Seconds West, Fifty Feet (S 10 Degrees 30'41" W 50.00');
- 4] North Seventy-Nine Degrees, Twenty-Nine Minutes, Nineteen Seconds West One Hundred Feet (N 79 Degrees 29'19" W 100.00') to a capped 3/8" iron rod set;

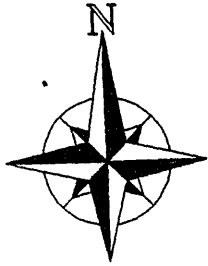
Thence along Lot #1, as shown on the above mentioned subdivision map, the following three (3) courses and distances:

- 1] North Ten Degrees, Thirty Minutes, Forty-One Seconds East, Fifty Feet (N 10 Degrees 30'41" E 50.00') to a 3/8" iron rod set;

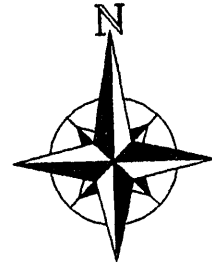
- 2] South Seventy-Nine Degrees, Twenty-Nine Minutes, Nineteen Seconds East Fifteen Feet (S 79 Degrees 29'19" E 15.00') to a 3/8" iron rod set;
- 3] North Ten Degrees, Thirty Minutes, Forty-One Seconds East, Ninety-Five and Fifty-Five Hundredths Feet (N 10 Degrees 30'41" E 95.55') to a 3/8" iron rod set;

Thence along the Southerly line of New York State 207, North Seventy-Seven Degrees, Twenty-One Minutes, Eighteen Seconds East, Sixty-Five and Twenty-Six Hundredths Feet (N 77 Degrees 21'18" E 65.26') to the point or place of beginning and containing, as surveyed by Margaret M. Hillriegel, L.S.

January 19, 1999



MARGARET M. HILLRIEGL
Licensed Land Surveyor
372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(914) 744-2072



PRIVATE ROAD BOND ESTIMATE

FOR: 2 LOT MINOR SUBDIVISION
FOR LANDS OF:

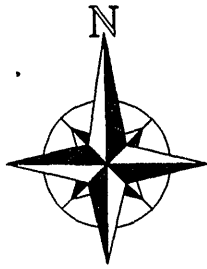
THOMAS J. MIHALICS

1903 Little Britain Road
(N.Y.S. Route 207)
Town of New Windsor
Section 51, Block 1, Lot 62.1

Wjh
12-9-94

<u>Description</u>	<u>Quantity per Unit</u>	<u>Unit Cost</u>	<u>Total</u>
Base Material	1,500 ⁵⁰⁰ Square Yard	\$ 5.55 ^{#9}	\$ 8325 ^{\$7,500}
Oil & Chip Surface	1,100 ⁵⁰⁰ Square Yard	\$ 3.50 ^{4.50}	\$ 3850 ^{2,250}
Total Bond Estimate:		\$ 12,175.00	<u>\$ 6,750</u>

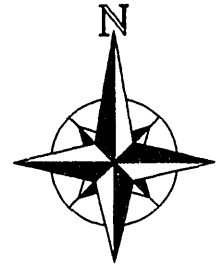
2% 135.00



MARGARET M. HILLRIEGEL

Licensed Land Surveyor

372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(914) 744-2072



TRANSMITTAL

DATE: December 3, 1998

TO: Myra Mason

COMPANY: Town of New Windsor, Planning Board Secretary

ADDRESS: 555 Union Avenue
New Windsor, New York 12553

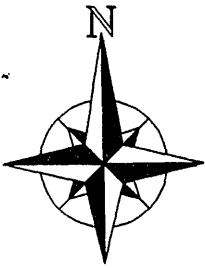
FROM: Peg Hillriegel

SUBJECT: Thomas J. Mihalics 2 Lot Minor Subdivision

MESSAGE:

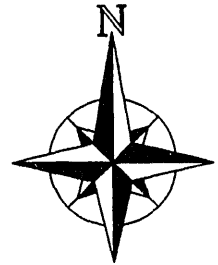
Enclosed please find a revised copy of the above mentioned 2 Lot Minor Subdivision, my response letter to the Town Engineer and a copy of the Private Road Bond Estimate. Please forward these to the Mr. Edsall, for his review.

Please do not hesitate to call if you have any comments or questions.



MARGARET M. HILLRIEGEL
Licensed Land Surveyor

372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(914) 744-2072



Mark J. Edsall, P.E.
McGoey, Hauser and Edsall P.C.
45 Quassaick Ave
New Windsor, NY 12553

December 2, 1998

Re.: 2 Lot subdivision of lands of Mihalics
N.Y.S. Route 207, Town of New Windsor

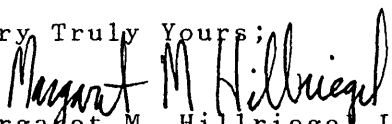
Dear Sir;

Enclosed please find a revised copy of the above mentioned subdivision, these plans have been revised as per your November 18, 1998 comment letter, and as follows:

1. The area of Lot #1 as shown on the bulk table has been correct.
2. The private road section on sheet 2 has been revised to depict a 3' wide swale, as called for in the regulations.
3. Notes have been added to the plan which indicated the well house, fence, trailer and yard drain in and near the area now proposed as the private road right-of-way, are to be removed. Due to the limited space, each was not individually labeled to be removed.
4. I have forwarded copies of the plans to the NYS DOT for their review and approval, neccessary details have been added to sheet 2.
5. A public Hearing has been waived by the Planning Board.
6. A Private Road Bond Estimate per Section A60-10 (A)(8) is attached, for your review.

Please do not hesitate to call if you have any comments or questions.

Very Truly Yours;


Margaret M. Hillriegel L.S.

C:\WP51\L98034

RESULTS OF P.B. MEETING OF: November 18, 1998

PROJECT: Moholies Sub.

P.B.# 98-39

LEAD AGENCY: Uncoordinated Review

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M) S S) N VOTE: A 4 N 0

2. TAKE LEAD AGENCY: Y ✓ N__

CARRIED: YES ✓ NO__

M) S S) A VOTE: A 4 N 0

CARRIED: YES ✓ NO__

WAIVE PUBLIC HEARING: M) S S) A VOTE: A 4 N 0 WAIVED: Y ✓ N__

SCHEDULE P.H. Y__ N ✓

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M) S S) N VOTE: A 4 N 0 APPROVED CONDITIONALLY: 11-18-98

NEED NEW PLANS: Y ✓ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Address Mark's comments</u>
<u>Mobil Home ^{Wally Hooper} to be removed - Add note to plan</u>
<u>Need private Road bond.</u>
<u>D.O.T.</u>
<u>Correction to private road detail</u>

12/22/98
P.B.# 98-39

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____

___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____

___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 300.00 Pd

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00

PRELIMINARY PLAT APPROVAL\$ 100.00

FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00

FINAL PLAT SECTION FEE.....\$ 100.00

BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00

RECREATION FEES:

1 LOTS @ \$500.00 PER LOT\$ 500.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 367.00

PLANNING BOARD ATTORNEY FEES.....\$ 300.00

MINUTES OF MEETINGS.....\$ _____

OTHER.....\$ _____

PERFORMANCE BOND AMOUNT.....\$ _____

4% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ 6,250.00

2% OF APPROVED COST ESTIMATE:.....\$ 135.00
(INSPECTION FEE)

Total Chgs
Postd
67.00
53.00
Due back
To apply

MIHALICS, THOMAS SUBDIVISION (98-39) ROUTE 207

Mr. William Hildreth appeared before the board for this proposal.

MR. HILDRETH: I'm the surveyor. Mr. Mihalics owns a small lot on about 17.6 acres on Route 207, Little Britain Road, he'd like to separate the small house with the remaining land. To do that, we had to design a septic system on the remaining land and we also felt that it was best to have one driveway out in the state highway for one stated driveway. According to Town of New Windsor rules, it makes it a private road, so we have designed a private road to separate the existing house from the remaining land.

MR. PETRO: Property's located in the R-1 zoning so it is permitted, use bulk information shown on the plan is correct, each lot appears to easily comply with the minimum bulk requirements. A correction to the plan would appear necessary since the lot area already indicated for lot 1 does not match the bulk table, in other words, if you add them both up, they don't add up to the total.

MR. EDSALL: I don't know which one was right, but one of them has to be matched.

MR. PETRO: Sanitary disposal system has been depicted to lot 2 of the subdivision based on the percolation data, system sizing would be appear adequate based on state standards, private road section appears correct with the exception of needing to depict a three foot wide swale as called for in the regulations. I guess that's along the entire road, Mark?

MR. EDSALL: Yeah, typically, if there's any grade requirement, it would be a grassed swale outside the three foot shoulder.

MR. HILDRETH: Do you have a copy of that comment letter?

MR. EDSALL: Yeah, just be a matter of adding that to the typical detail.

MR. HILDRETH: Okay, that's not a problem.

MR. PETRO: Show me where you're coming in off 207, correct?

MR. HILDRETH: Correct, there's an existing driveway, it's hard to see we're going to basically move the driveway to the west side and it will be in approximately the same location, we're going to shift it away from the property line a little to meet town regulations. He also had 60 instead of 50 in case somebody buys this remaining land which can be developed into more than one parcel, they have the option of putting in a town road instead of a private road so we left 60 feet for selling purposes. Mr. Mihalics is selling this property and wanted future buyers to not be restricted in any way.

MR. PETRO: Has this gone to highway? The highway 11/6/98 approved and fire is 11/10/98 approved.

MR. STENT: This is a town road?

MR. HILDRETH: State road.

MR. PETRO: The roadway coming in, I'm having a hard time figuring it out, I see the 60 foot right-of-way, is that the private road coming in?

MR. HILDRETH: It's the square area.

MR. PETRO: And this big thing?

MR. HILDRETH: It's a turnaround.

MR. PETRO: So you're going to extend off the turnaround?

MR. HILDRETH: Right.

MR. PETRO: What's the total length, is that more than 800 feet?

MR. EDSALL: No.

MR. PETRO: Proper separation between the well and septic?

MR. HILDRETH: Yes, more than enough everywhere.

MR. PETRO: Obviously, the setbacks seem to be fine and the lot area certainly would be adequate. Are there any wetlands on this site and is the sanitation system, is it 300 feet away from that, Mark, 3 or 500 feet, I forget?

MR. EDSALL: Well, there's setbacks to water bodies, but I don't believe, can't put it in the wetlands or in the buffer area, but I don't believe there's greater than 100 foot separation.

MR. HILDRETH: I don't think there's more than a 100 foot buffer.

MR. PETRO: Doesn't apply.

MR. EDSALL: It would apply if there's wetlands immediately adjacent to it.

MR. PETRO: And you're far away from the pond?

MR. HILDRETH: Yes, the wetlands are quite a ways away.

MR. LANDER: The existing trailer, is that a mobile home is it?

MR. HILDRETH: Yes, it's a mobile home, it's dilapidated. Mr. Mihalics is looking to have it removed, he's hoping somebody won't charge him too much for that.

MR. LANDER: It's encroaching.

MR. HILDRETH: We're looking to demolish it.

MR. PETRO: Add to the plan to be removed.

MR. HILDRETH: Certainly.

MR. PETRO: Because if you don't do that, then we have no way to later enforce that. One of them Mark says is even in the right-of-way.

MR. HILDRETH: Right.

MR. PETRO: You have to put a note on that to be removed.

MR. ARGENIO: I have a question, Mark, that proposed driveway, should that spring from the end of what I'm going to call the cul-de-sac or are we all right with that springing from the existing driveway? Isn't the essence of creating the private road because we're trying to avoid a common driveway situation?

MR. EDSALL: Well, they are, because it might be hard to follow, but the lot 1 existing drive is going to be relocated along the dashed line and then come into the side of the, of the turnaround and then to the other drive.

MR. ARGENIO: I see it.

MR. EDSALL: One drive's coming off the side of the T and one's coming off pretty much the top of the T.

MR. ARGENIO: The one off the top of the T is tying into what's currently about 50 feet of the driveway as it exists now and then tying into the top of the T?

MR. EDSALL: Right, probably wouldn't be a bad idea for the portion that's the old drive between the two new drives that that piece has to be removed.

MR. HILDRETH: Okay.

MR. PETRO: We need lead agency ordination letter.

MR. EDSALL: That's why I said about discussing it, this falls into a very nearly identical situation we just discussed, they are going to need a permit to modify the access from a single driveway to let's say

an improved driveway, which is really an improved road now, but that's it and it's the same as far as I understand it the same location.

MR. HILDRETH: Pretty much the same location.

MR. EDSALL: Within a couple feet, so I don't know that it would be necessary to do a coordinated review for a curb cut to the same location. Technically, DOT has to issue a permit if you care to make a decision that we're going to do an uncoordinated review, we're aware that DOT is going to act on it, but I don't see it as something we should do.

MR. PETRO: How would we know if DOT has not acted?

MR. EDSALL: DOT is the same as DEC under their obligations before they issue the permit, they are supposed to find out as their responsibility as to whether or not there's been a negative dec on the job and if there has not been because it's an uncoordinated review, they have to do it themselves. It's their obligation so same as you have responsibility when you grant approval.

MR. PETRO: So, there's a checks and balances basically what you're saying, it will be found out one way or the other?

MR. EDSALL: Yes, DEC in many cases does their own environmental review, even if they know there's a negative dec.

MR. PETRO: So, we'll do the coordination letter and once again, we'll make ourselves lead agency on the site plan aspect. Is there a motion?

MR. EDSALL: Subdivision?

MR. PETRO: Subdivision.

MR. STENT: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare itself lead agency for the subdivision Mihalics minor subdivision on Route 207. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: As far as public hearing is concerned, that is one lot subdivision.

MR. STENT: I don't see any reason.

MR. PETRO: It's a permitted use in the zone.

MR. STENT: Make a motion we waive public hearing.

MR. ARGENIO: Second it.

MR. LANDER: Trying to find out where this property is.

MR. PETRO: You have to use the location plan on the top.

MR. HILDRETH: Right next to Rock Tavern Greens.

MR. LANDER: Karen Court, didn't they have problem with drainage there, not that it has anything to do with this?

MR. PETRO: One lot subdivision, we have a motion, let me continue with it, it's been made and seconded and then we'll have a discussion. Is there any further discussion? We have a motion to waive the public hearing, is there any further discussion?

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE

MR. LANDER AYE
MR. PETRO AYE

MR. PETRO: Private road bond estimate will have to be--

MR. HILDRETH: Yes, I'll have my engineer look through that.

MR. PETRO: You're going to actually design that and Mark you'll review it?

MR. EDSALL: Yeah, all we need to do is to get that submitted, we'll take care of it.

MR. HILDRETH: I already talked to him about numbers.

MR. STENT: There's a couple subject-to's.

MR. PETRO: To be removed, signs on there and Mark, what do you have from an engineering standpoint?

MR. EDSALL: Just the comments that we have discussed tonight and many which are minor modifications, have you done a negative dec yet? I don't see any reason why this would have any impact or any significance.

MR. STENT: Motion we declare negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec on the site plan.

ROLL CALL

MR. ARGENIO AYE
MR. STENT AYE
MR. LANDER AYE
MR. PETRO AYE

MR. PETRO: Subject-to's are going to be you have to put the to-be-removed notes on the plan, move the trailer and the well house, you also need to put up the

bond estimate and coordinate that with Mr. Edsall. Mark, what else? And you have DOT.

MR. EDSALL: One correction to the private road detail.

MR. PETRO: Get those corrections put in as subject-to's.

MR. HILDRETH: Yes, we have a flag pole, it's existing.

MR. PETRO: With a flag.

MR. LANDER: Now, the wooden shed that's not going to be encroaching, what would that be side or rear yard?

MR. HILDRETH: That's at least 25 feet off the side yard, I believe that's fine.

MR. EDSALL: It's actually a front yard and it's an existing noncompliance because I don't believe you can put that in a front yard.

MR. HILDRETH: Right now, it's in the front yard it's existing.

MR. PETRO: Is this home actually to be built on lot number 2 or just plotted there?

MR. HILDRETH: It's just plotted there, basically, Mr. Mihalics just wants to sell the vacant land, he's had a hard time selling it so he decided to separate the two.

MR. PETRO: But it could be further subdivided?

MR. HILDRETH: Certainly so there may be up to four houses.

MR. PETRO: So we're just going through the motions here. We have a couple subject-to's which have been written into the minutes already probably once or twice so if we can just--

MR. STENT: Make a motion we approve the Mihalics minor subdivision with the subject-to's written in the minutes.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded the the New Windsor Planning Board grant final approval to the Mihalics minor subdivision on New York State Route 207 as the motion was just stated. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: MIHALICS MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 51-BLOCK 1-LOT 62.1
PROJECT NUMBER: 98-39
DATE: 18 NOVEMBER 1998
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF AN
EXISTING 17.63 +/- ACRE PARCEL INTO TWO (2) SINGLE-
FAMILY RESIDENTIAL LOTS. THE PLAN WAS REVIEWED
ON A CONCEPT BASIS ONLY.

1. The intent of this subdivision is to create a 1.6 +/- acre parcel for the existing residence near Route 207, with the remaining parcel being approximately 16.0 +/- acres. Both lots would access NYS Route 207 from a common point; as such, a private road is being created.

The property is located within the R-1 Zoning District of the Town. The "required" bulk information shown on the plan is correct. Each lot appears to easily comply with the minimum bulk requirements. A correction to the plan would appear necessary since the lot area indicated for Lot 1 on the plan does not match the bulk table. Please review and correct.

2. A sanitary disposal system has been depicted for the proposed house on Lot 2 of the subdivision. Based on the percolation data indicated on Sheet 2, the system sizing would appear adequate based on State standards.
3. The private road section on Sheet 2 appears correct, with the exception of the need to depict a 3' wide swale as called for in the regulations.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: MIHALICS MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 51-BLOCK 1-LOT 62.1
PROJECT NUMBER: 98-39
DATE: 18 NOVEMBER 1998

4. The plan identifies a "wellhouse" and "fence" within the area now proposed as the private road right-of-way. The disposition of these items should be discussed.
5. This project involves an approval from the NYSDOT; we should discuss whether a Lead Agency Coordination Letter should be authorized.
6. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
7. The Applicant should be directed to submit a **Private Road Bond Estimate per Section A60-10 (A)(8)** to the Planning Board Engineer for review.
8. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MIHALIC.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 39

DATE PLAN RECEIVED: RECEIVED NOV 4 1998

RECEIVED

NOV 06 1998

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval ☒
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ☒
disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 11/6/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: November 10, 1998

SUBJECT: Mihalics Subdivision

Planning Board Reference Number: PB-98-39

Dated: 4 November 1998

Fire Prevention Reference Number: FPS-98-068

A review of the above referenced subdivision plan was conducted on 6 November 1998.

This subdivision plan is acceptable.

Plans Dated: 22 October 1998.

RFR (DH)

Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 39

DATE PLAN RECEIVED: RECEIVED NOV 4 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Thomas J. Mihalics has been

reviewed by me and is approved ☒

disapproved ☐.

If disapproved, please list reason _____

No water in this area.

HIGHWAY SUPERINTENDENT _____ DATE _____

John D. D.O. - 11-10-98
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 98 - 39 ¹⁻³

WORK SESSION DATE: 7 OCT 98 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: later

PROJECT NAME: TOM MITHALICS

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Margaret Hillriegel

MUNIC. REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Rt 207 1903 LBR 51-1-62.1

disc P/R rego re 4+2
disc lot width @ front yd
disc 2 uses = P/R
disc "not"

4MJE91 pbwsform



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.
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(914) 562-8640
- ☐ Branch Office
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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 98 - 39

WORK SESSION DATE: 22 Oct 98 APPLICANT RESUB.
REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No
PROJECT NAME: Tom Mihalics

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Peggy Hinegal / Tom M.

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

shift house to west to leave room
for future P/R
add P/R X rect
need SDS design
road name
board needed for P/R

(A)

4MJE91 pbwsform



TOWN OF NEW WINDSOR 98 - 39

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

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PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision X Lot Line Change Site Plan Special Permit

Tax Map Designation: Sec. 51 Block 1 Lot 62.1

1. Name of Project 2 Lot Subdivision for lands of Thomas J. Mihalics

2. Owner of Record Thomas J. Mihalics Phone 496-9016

Address: 1903 Little Britain Road Rock Tavern, NY 12575
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME Phone

Address:
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Margaret Hillriegel L.S. Phone 744-2072

Address: 372 Oregon Trail Pine Bush, NY 12566
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Phone

Address
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Margaret Hillriegel 744-2072
(Name) (Phone)

7. Project Location:

On the Southerly side of Route 207 (Little Britain Rd) 418' feet
(Direction) (Street) (No.)
Easterly of James Wilkinson Road
(Direction) (Street)

8. Project Data: Acreage 17.634 Zone R-1 School Dist. Washingtonville

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

*This information can be verified in the Assessor's Office.

*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.) Two (2) Lot Subdivision to separate the existing single family dwelling with 1.6142 Acres from the remainder of the parcel (16.0191 Acres).

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

5th DAY OF OCTOBER 1998

Thomas J. Mihalics
APPLICANT'S SIGNATURE

Karen L. Lancaster
NOTARY PUBLIC
KAREN L. LANCASTER
Notary Public, State of New York
No. 60-4623693
Qualified In Westchester County
Term Expires 9/30/99

THOMAS J. MIHALICS
Please Print Applicant's Name as Signed

TOWN USE ONLY:

RECEIVED NOV 4 1998.

DATE APPLICATION RECEIVED

98 - 39
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Thomas J. Mihalics, deposes and says that he resides
(OWNER)

at 1903 Little Britain Road, Rock Tavern in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 51 Block 1 Lot 62.1)
designation number (Sec. Block Lot) which is the premises described in

the foregoing application and that he authorizes:

SAME

(Applicant Name & Address, if different from owner)

Margaret M. Hillriegel L.S. 372 Oregon Tr. Pine Bush, NY 12566
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 10/5/98

Richard Lombardo
Witness' Signature

Thomas J. Mihalics
Owner's Signature

Margaret M Hillriegel
Applicant's Signature if different than owner
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
- * 2. ✓ (SAME) Name and address of Owner.
3. ✓ Subdivision name and location
4. ✓ **Provide 4" wide X 2" high box directly above title block preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.**
5. ✓ Tax Map Data (Section, Block & Lot).
6. ✓ Location Map at a scale of 1" = 2,000 ft.
7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
8. N/A Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. ✓ Date of plat preparation and/or date of any plat revisions.
10. ✓ Scale the plat is drawn to and North arrow.
11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. ✓ Surveyor's certificate.
13. ✓ Surveyor's seal and signature.
14. ✓ Name of adjoining owners.
15. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. N/A Flood land boundaries.
17. ✓ A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18. ✓ Final metes and bounds.
19. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.

20. ✓ Include existing or proposed easements.
21. ✓ Right-of-way widths.
22. ✓ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. ✓ Lot area (in square feet for each lot less than 2 acres).
24. ✓ Number the lots including residual lot.
25. ✓ Show any existing waterways.
- *26. ✓ A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
28. ✓ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. ✓ Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. ✓ Provide "septic" system design notes as required by the Town of New Windsor.
32. ✓ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. ✓ Indicate percentage and direction of grade.
34. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. _____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: Margaret M. Hillier 10/22/98
Licensed Professional Date

PROJECT I.D. NUMBER

617.21

SEQR

Appendix

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR Thomas J. Mihalics	2. PROJECT NAME 2 Lot Subdivision for Mihalics
3. PROJECT LOCATION: Municipality <u>Town of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Southerly side of NYS ROUTE 207 (Little Britain Rd) 418' Easterly of James Wilkinson Road.	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Two (2) Lot Subdivision to separate the existing single family dwelling with 1.6149 Acres from the reminder of the parcel (16.0191 Acres).	
7. AMOUNT OF LAND AFFECTED: Initially <u>17.6340</u> acres Ultimately <u>17.6340</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Single family homes and vacant land.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals The Town of New Windsor Planning Board	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Margaret M. Hillriegel L.S.</u> Date: <u>10/2/98</u>	
Signature: <u>Margaret M Hillriegel</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

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PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	

Name of Lead Agency	
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Date	

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

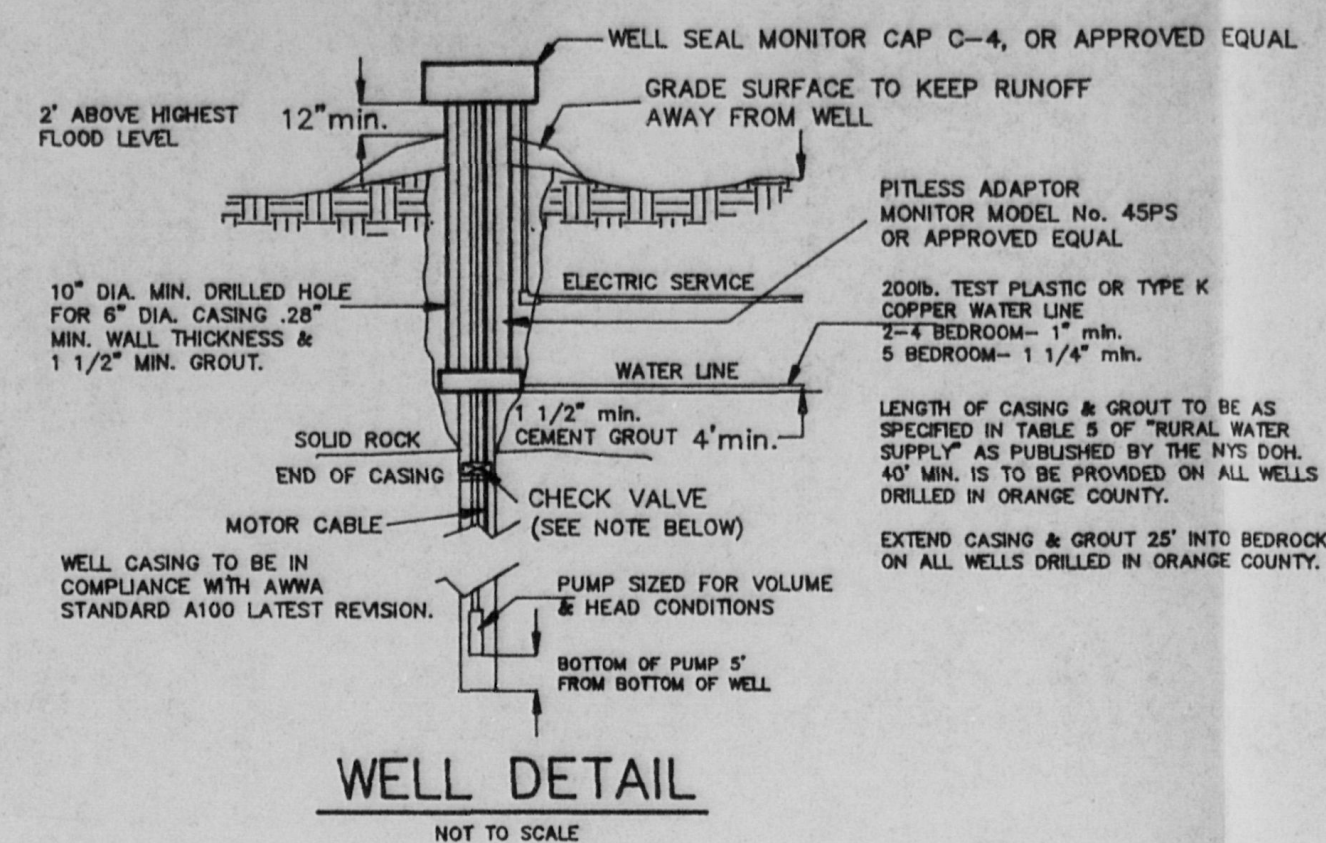
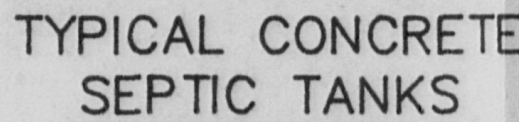
IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

THIS PROPERTY IS NOT IN A
FLOOD ZONE.

Margaret M. Hilbrich L.S.

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ABSORPTION FIELD - 35' SEPARATION DISTANCE TO A DRAINAGE PIPE,
SWALE OR CATCH BASIN

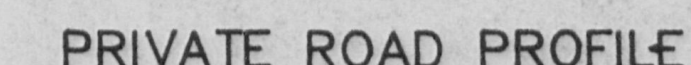
(a) Water service and sewer lines may be in the same trench if cast iron sewer with lead-caulked joints is laid at all points 12" below water service pipe; or sewer may be on dropped shelf at one side at least 12" below water service pipe, provided that sewer pipe is laid below frost with tight and root-proof joints and is not subject to settling, superimposed loads or vibration. Water service lines under pressure shall not pass closer than 10' of a septic tank, absorption tile field, leaching pit, privy or any other part of a sewage disposal system.

(b) Sewage disposal systems located of necessity upgrade in general path of drainage to a well should be spaced 200' or more away.

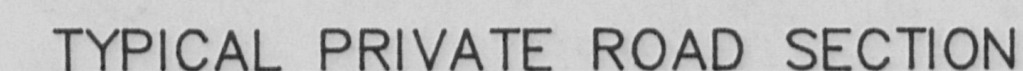
(c) mean high water mark

DESIGN RATE: 1" IN 21 - 30 MIN.
3 BEDROOM DWELLING: 325 L.F. REQUIRED
4 BEDROOM DWELLING: 433 L.F. REQUIRED
4 BEDROOM HOUSE: 480 L.F. PROPOSED

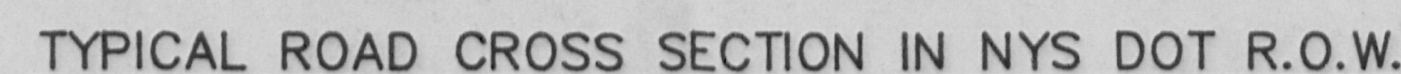
LOW POINT ELEV = 500.78
LOW POINT STA = 1+16.67
PVI STA = 1+00
PVI ELEV = 500.45



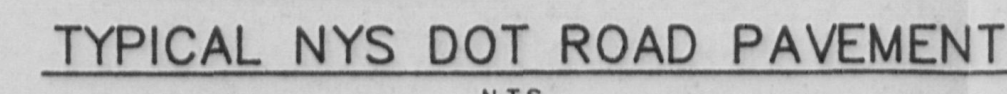
HORIZONTAL SCALE: 1" = 50 FEET
VERTICAL SCALE: 1" = 5 FEET



N.T.S.



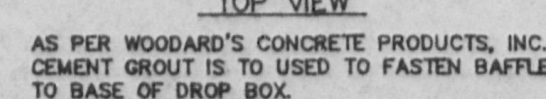
N.T.S.



N.T.S.

NOTES:

1. The New York State Department of Transportation Standard Specifications shall govern the work to be performed with the right-of-way of Route 207. Item numbers indicated on the drawings refer to the items contained in the NYS DOT Standard Specifications.
2. Compaction requirements shall conform to the Standard Specifications Section 203-3.15 "Fill and Backfill of Structures, Culverts, Pipes, Conduits and Direct Buried Cables".
3. Compaction requirements shall conform to the Standard Specifications Section 203-3.12, "Compaction".



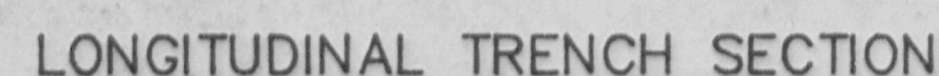
SPECIFICATIONS

CONCRETE MIN. STRENGTH- 4,000psi AT 28 DAYS
REINFORCEMENT- FIBER
PIPE CONNECTION- POLY-LOC SEAL (patent pending) OR EQUAL

PRECAST DROP BOX DETAIL

NOT TO SCALE
AS PER WOODARDS OR EQUAL
DB-6DB

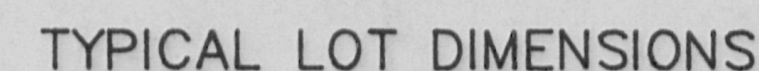
NOTE:
UNUSED OUTLETS ARE TO BE SEALED AND GROUTED



NOT TO SCALE

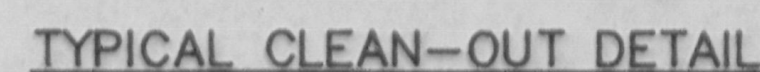
NOTES:

1. DO NOT INSTALL TRENCHES IN WET SOILS.
2. RAKE TRENCH BOTTOM AND SIDES IMMEDIATELY BEFORE PLACING GRAVEL.
3. DO NOT EXCEED TRENCH DEPTH OF 24" w/12" EARTH COVER AS A MAX.



NOT TO SCALE

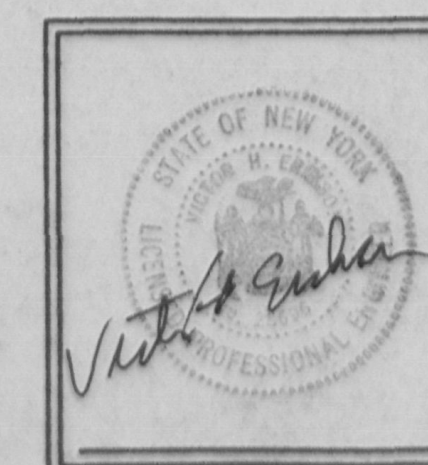
- (A) 4" PERFORATED PVC PIPE-- SLOPE 1/16"-1/32" PER FOOT.
- (B) SEPTIC TANK-- AS SHOWN IN DETAIL.
- (C) DROP MANHOLE DISTRIBUTION BOX AS SHOWN IN DETAIL.
- (D) 4" PVC PIPE, SDR35 SLOPE 1/8" PER FOOT MIN.
- (E) HOUSE SEWER 4" CAST IRON, SLOPE 1/4" PER FOOT MIN.
- (F) TRENCH WIDTH 24".
- (G) 2' OF SOLID PVC EACH SIDE OF DISTRIBUTION BOX



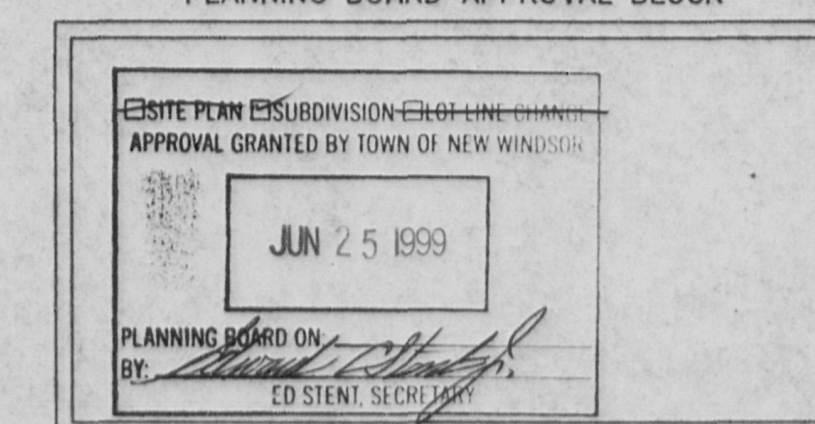
NOT TO SCALE

1	12/01/98	SWALE ADDED, NYS DOT DETAILS	MH
NO.	DATE	DESCRIPTION	BY

ENGINEER:
VICTOR H. ERIKSON P.E.
2656 ROUTE 302
MIDDLETOWN, NEW YORK 10941
PHONE #: (914) 361-5421



PLANNING BOARD APPROVAL BLOCK



DETAIL SHEET

FOR 2 LOT MINOR SUBDIVISION FOR LANDS OF:

THOMAS J. MIHALICS

N.Y.S. ROUTE 207, (a.k.a. LITTLE BRITAIN ROAD)

TOWN OF NEW WINDSOR.

TOWN OF NEW WINDSOR,
COUNTY OF ORANGE, STATE OF NEW YORK

SCALE: AS NOTED

DATE: OCTOBER 22, 1998

TAX MAP DESIGNATION: SECTION 51, BLOCK 1, LOT 62.1

DEED REFERENCE: LIBER 2807 PAGE 171

TOTAL AREA: 768,138 Sq. Ft. or 17.6340 Acres

SHEET 2 OF 2 SHEET 2 IS INVALID AND INCOMPLETE
WITHOUT SHEET 1 OF 2.